



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DONOVAN CHARLES STONER,

Petitioner,

vs.

NEVADA ATTORNEY GENERAL and
NEVADA DEPARTMENT OF
CORRECTIONS,

Respondents.

Case No. 3:09-CV-00137-BES-(VPC)

ORDER

Petitioner has submitted a Petition for Writ of Mandamus Pursuant to 18 U.S.C. § 3771. He did not submit an application to proceed in forma pauperis, nor did he pay the filing fee of three hundred fifty dollars (\$350.00). 28 U.S.C. § 1914(a).

Petitioner raised the same claim in an earlier petition, Stoner v. Nevada Attorney General, et al, Case No. 3:09-cv-00045-LRH-(VPC). The Court denied that earlier petition. The Court dismisses this action because Petitioner repeats previously litigated claims. Cato v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 2005) (citations omitted).

IT IS THEREFORE ORDERED that the Clerk of the Court file the Petition for Writ of Mandamus.

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1 IT IS FURTHER ORDERED that the Petition for Writ of Mandamus is **DENIED**. The
2 Clerk of the Court shall enter judgment accordingly.

3 DATED: This 20th day of April, 2009.

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United States District Judge